

APPENDIX D

Responsibilities of Hospitals with a DOH-Certified SAFE Program Compared to Hospitals without a SAFE Program Related to the Treatment of Victims of Sexual Assault

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The following compares the responsibilities of hospitals with a DOH-approved Sexual Assault Forensic Examiner (SAFE) Program compared to hospitals without a DOH-approved SAFE program.

<i>Service Component</i>	<i>SAFE PROGRAM</i>	<i>HOSPITALS without a SAFE Program</i>
Provide timely, compassionate, victim-centered care that meets the health care needs of victims, provides emotional support and reduces further trauma to the victim.	Yes	Yes
Provide quality medical care to the patient who reports sexual assault, including screening, evaluation and treatment.	Yes	Yes
Provide services in compliance with Federal EMTALA requirements for all patients presenting for emergency care.	Yes	Yes
Maintain current protocols regarding the care of patients reporting sexual assault and for the collection and storage of sexual offense evidence.	Yes	Yes
Advise the victim of the availability of services provided by a local rape crisis or victim assistance organization, and, secure such services as requested by the patient.	Yes	Yes
Seek the sexual offense victim's consent for collection and storage of privileged sexual offense evidence.	Yes	Yes
Consistent with hospital protocols, conduct an evidentiary examination to collect and preserve evidence, in accordance with current forensic techniques and consistent with the Department's <i>Protocol for the Acute Care of the Adult Patient Reporting Sexual Assault</i> .	Yes	Yes
Ensure the quality of the collection, documentation and preservation of sexual offense evidence.	Yes	Yes
Discuss with the patient the option of reporting the sexual offense to the police, and, upon the request of the patient, report event to the local law enforcement agency.	Yes	Yes
Promote staff opportunities for continuing education.	Yes	Yes
Ensure and monitor for quality, conduct ongoing review and oversight of services provided through the hospital-wide quality assurance program for quality improvement purposes.	Yes	Yes
Maintain a designated and appropriately equipped, private room in or near the hospital's emergency department to meet the specialized needs of sexual assault patients. Accommodations must include access to a shower and be handicapped accessible.	Yes	Yes

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<i>Service Component</i>	<i>SAFE PROGRAM</i>	<i>HOSPITALS without a SAFE Program</i>
Ensure that prophylaxis against pregnancy (emergency contraception) resulting from sexual assault is provided to the patient upon request without delay, unless the patient is already pregnant or the treatment is otherwise medically contraindicated.	Yes	Yes
Provide each patient with an appropriate and safe discharge, including: medical transfer, as necessary, necessary and appropriate follow-up care/referrals, hospital contact person to assist with release or disposal of sexual offense evidence, suitable attire, transportation or appropriate arrangement, etc., as necessary to meet patient needs.	Yes	Yes
Collect required data in accordance with statewide data collection activities (*hospitals without SAFE programs must comply with use of E-codes in ER SPARCS data; SAFE programs must comply with all data submission requirements.)	Yes	Yes*
Maintain a supply and provide to patients, as medically indicated, prophylaxis for sexually transmitted diseases and hepatitis B.	Yes	Yes
Maintain a supply of and provide an initial supply to patients, as medically indicated, of prophylaxis for HIV.	Yes	Recommended
Establish an organized program/service specifically to carry out and oversee the provision of sexual assault services. This would include the development and implementation of policies and procedures, detailing staffing requirements, initiating and conducting community outreach programs, participating in an organized data collection system, and routinely following-up with patients/law enforcement officials and crime laboratory personnel regarding evidence collection activities.	Yes	Recommended
Designate a program coordinator to exercise administrative and clinical oversight for the program.	Yes	Recommended
Ensure that the program includes a cohort of specially trained individuals (SAFEs) who have been prepared through an intensive classroom and preceptor training program and have been certified by NYSDOH to conduct sexual assault exams (see attached SAFE Standards for individual providers).	Yes	Recommended
Establish/participate in an interdisciplinary task force that includes local Rape Crisis Centers and other service agencies, and law enforcement representatives/ local prosecutors to develop services that meet community need and to ensure that quality victim services are available.	Yes	Recommended
Sexual Assault Forensic Examiners on-site or on-call available to the patient within 60 minutes of arriving at the hospital, except under exigent circumstances.	Yes	Recommended

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<i>Service Component</i>	<i>SAFE PROGRAM</i>	<i>HOSPITALS without a SAFE Program</i>
Routinely use the New York State Evidence Collection Kit, if the patient consents to have evidence collected. Use the drug facilitated sexual assault kit, where appropriate.	Yes	Yes
Coordinate outreach activities in the community and with other hospitals to share best practices, provide training opportunities and promote the availability of the program, to the extent feasible.	Yes	Recommended
Participate in regional and statewide quality assurance initiatives designed to measure program effectiveness and meet reporting requirements.	Yes	Recommended